



RCE

**REQUEST
For
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
MAIL STOP RCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

(Revised 09/2003)

Application Number 09/782,639

Filing Date February 13, 2001

First Named Inventor: Bensur

Art Unit: 1772

Examiner Name: Michael Miggins

Confirmation No.: 2775

Attorney Docket No. 31599/200998

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This is a request for **Continued Examination (RCE)** under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - ii. Other
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavits(s)/Declarations(s)
 - iii. Information Disclosure Statement (IDS); of cites listed on PTO Form 1449
 - iv. Other

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of ___ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other

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Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments to Deposit Account No. 16-0605.
- i. RCE fee required under 37 C.F.R. § 1.17(e)
(\$770.00 large entity; \$385.00 small entity)
 - ii. Extension of Time Fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other
- b. Check in the amount of \$770.00 and \$420.00 enclosed

Respectfully submitted,

Donald M. Hill, Jr.
Registration No. 40,646

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
on December 5, 2003.

Nancy McPartland
CLT01/4622655v1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/782,639
Applicant(s): Bensur
Filed: February 13, 2001
Art Unit: 1772
Examiner: Michael Miggins
Title: FLEXIBLE NON-FOIL-BASED RETORT PACKAGE

Confirmation No.: 2775

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Docket No.: 31599/200998
Customer No.: 00826

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT
37 C.F.R. § 1.121

Sir:

In response to the Office Action dated July 7, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.